

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SNMP RESEARCH, INC. and SNMP
RESEARCH INTERNATIONAL, INC.,

Plaintiffs,

v.

BROADCOM INC. *et al.*,

Defendants.

No. 3:20-CV-451-CEA-DCP

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is the Motion for Leave to File Documents Under Seal [Doc. 158], filed by Broadcom, Inc., (“Broadcom”) and Brocade Communications Systems, LLC (“Brocade”) (collectively, “Defendants”). Specifically, Defendants seek leave to file the following documents under seal: Exhibit C to the Declaration of Mark Brazeal (“Brazeal Declaration”) [Doc. 160-4]; Exhibits B, C, and D to the Declaration of Steve Gleason (“Gleason Declaration”) [Docs. 160-9; 160-10; and 160-11]; and Exhibit D to the Declaration of Martin Skagen (“Skagen Declaration”) [Doc. 160-16]. Defendants further request that portions of the declarations and the evidentiary supplement be redacted because they rely on language in the above exhibits: (1) paragraphs 8 and 9 of the Brazeal Declaration [Doc. 160-1], (2) paragraph 8 of the Gleason Declaration [Doc. 160-7], portions of Exhibit B to the Skagen Declaration [Doc. 160-14], and a portion of Defendants’ evidentiary supplement [Doc. 160]. Finally, Defendants request that Exhibit A to the Skagen Declaration [Doc. 160-13] be filed under seal because it relates to the license agreement with Plaintiffs, and Plaintiffs may want to argue that this information is confidential. Defendants

further submit that portions of the following discuss Exhibit A to the Skagen Declaration: (1) paragraphs 2 and 5 of the Skagen Declaration [Doc. 160-12], (2) Exhibit B to the Skagen Declaration [Doc. 160-14], and (3) Defendants' evidentiary supplement [Doc. 160].

Defendants contend that Exhibits B and D to the Gleason Declaration [Docs. 160-9 and 160-10] contain their extensive revenue information, Exhibit C to the Brazeal Declaration [Doc. 160-4] outlines the legal structure of Broadcom, and Exhibit B to the Skagen Declaration [Doc. 160-14] contains key agreement terms. Defendants contend that these documents contain sensitive financial information and that if competitors or other debtors had access to this information, they could use it for improper purposes to gain leverage over them. In addition, Defendants state that Exhibits C and D to the Gleason Declaration [Docs. 160-10 and 160-11] and Exhibit D to the Skagen Declaration [Doc. 160-16] contain portions of highly confidential customer lists that constitute trade secrets and involve third parties unrelated to this matter.

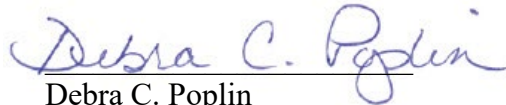
Plaintiffs agree [Doc. 181] that sealing the following documents is appropriate: (1) Exhibit A to the Declaration of Martin Skagen [Doc. 160-13]; (2) portions of paragraphs 2 and 5 of the Skagen Declaration that discuss the contents of Exhibit A [Doc. 160-12]; (3) portions of Exhibit B to the Skagen Declaration that also discuss the contents of the aforementioned Exhibit A [Doc. 160-14]; and (4) portions of Defendants' Evidentiary Supplement that discuss the contents of Exhibit A.

The Court has considered the parties' requests, and for good cause shown, the Court **GRANTS** Defendants' Motion to Seal [Doc. 158], and the following documents **SHALL REMAIN SEALED**: [Docs. 160; 160-1; 160-4, 160-7, 160-9, 160-10, 160-11, 160-12, 160-13, 160-14, and 160-16]. The Court observes that while Defendants have filed other exhibits as sealed documents [Docs. 160-2, 160-3, 160-5, 160-6, 160-8, and 160-15], these documents are already

on the public docket [*see* Doc. 156], and no party has requested that such documents remain sealed. For purposes of keeping the docket organized, and because these documents are already filed on the public docket, the Court **DIRECTS** the Clerk to **STRIKE** [Docs. 160-2, 160-3, 160-5, 160-6, 160-8, and 160-15].

IT IS SO ORDERED.

ENTER:



Debra C. Poplin
United States Magistrate Judge